

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, July 10, 2008 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

M I N U T E S

PRESENT: Supervisors Rice, De bruin, Cesarz, Broderick, Sanfelippo and Johnson (Chair) – 6

EXCUSED: Supervisor Jursik - 1

SCHEDULED ITEMS:

1. 08-239 From the County Executive, appointing Chief James Martins of the Franklin Fire Department to the Milwaukee County Local Emergency Planning Committee.

APPEARANCE(S):

Fran McLaughlin, County Executive's Office
Chief James Martins

Ms. McLaughlin provided comments.

MOTION BY: (CESARZ) Approve.

AYES: Rice, De Bruin, Cesarz, Broderick, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Jursik - 1

2. 07-379 Adopted 2008 Budget Amendment 1A067 directed that the County Executive and
(a) the Superintendent of the House of Correction shall provide written monthly briefings through October 2008 for the Committee on Judiciary, Safety and General Services on the ongoing development and implementation of the Global Positioning Surveillance (GPS) home detention program. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

APPEARANCE(S):

Superintendent Ron Malone, House of Correction
Assistant Superintendent Jeff Mayer, House of Correction

Superintendent Malone reviewed the subject report.

Questions and comments ensued.

SCHEDULED ITEMS (CONTINUED):

Supervisor De Bruin stated that in the future we have to be much more careful with law enforcement proposals.

The Committee took no action on this informational report.

3. 08-102 (a)(a) An adopted Resolution by Supervisor Borkowski, directing the Superintendent, House of Correction to prepare a report detailing incidents, penalties, costs and corrective actions related to vandalism by inmates at the House of Correction.
(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

APPEARANCE(S):

Superintendent Ron Malone, House of Correction

Assistant Superintendent Jeff Mayer, House of Correction

Chairman Johnson advised that he received a communication from Supervisor Borkowski thanking him and the Committee, as well as HOC staff, for assuring that he received a copy of the subject report.

Superintendent Malone and Assistant Superintendent Mayer provided comments relative to the subject report.

Questions and comments ensued.

Supervisor De Bruin requested that staff provide the Committee with information regarding the number of injuries to HOC staff.

The Committee took no action on this informational item.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85 (1)(c), for considering employment, promotion, compensation or performance evaluation data of an employee over which the Committee has jurisdiction and Section 19.85 (1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

4. 08-219 From the County Executive, appointing Mr. Ronald K. Malone to the position of Superintendent of the House of Correction. **(6/26/08: Referred back to Judiciary Committee from County Board)**

APPEARANCE(S):

Bill Domina, Corporation Counsel

Superintendent Ron Malone, House of Correction

SCHEDULED ITEMS (CONTINUED):

Molly Pahl, Fiscal Operations Manager, House of Correction

Mr. Domina provided comments. He advised the Committee to proceed in open session as far as they can.

MOTION BY: (BRODERICK) Approve.

The following individuals provided testimony relative to Superintendent Malone's reappointment:

Gary D. Orłowski

Sandy Biscontine, HOC Correction Officer

Patty Yunk, DC 48, AFSCME

Kevin Schoofs, AFSCME, #567

Superintendent Malone provided comments in response to the testimonies given.

Questions and comments ensued.

Supervisor De Bruin requested that HOC staff provide her with information regarding how much Milwaukee County spends per inmate at the HOC compared to other medium secured correctional facilities; also, provide a management structure type of comparison.

MOTION BY: (RICE) adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85 (1)(c), for considering employment, promotion, compensation or performance evaluation data of an employee over which the Committee has jurisdiction and Section 19.85 (1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to item 4. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary. (Vote 6-0)

AYES: Rice, De Bruin, Cesarz, Broderick, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Jursik - 1

The Committee adjourned into closed session at approximately 10:35 a.m. and reconvened back into open session at approximately 11:15 a.m. with the same members present as before.

Questions and comments continued.

SCHEDULED ITEMS (CONTINUED):

Vote on the motion to approve: 6-0

AYES: Rice, De Bruin, Cesarz, Broderick, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Jursik - 1

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85 (1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):*

5. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$4,000** to Paul Sweeney to settle in full his claim for damage to his vehicle which was struck by a County vehicle at the airport.

APPEARANCE(S):

Bill Domina, Corporation Counsel

MOTION BY: (RICE) Approve items 5-13. (Vote 6-0)

AYES: Rice, De Bruin, Cesarz, Broderick, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Jursik - 1

6. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,514.30** to Safeco Insurance in full settlement of all claims arising out of the March 21, 2008 incident wherein a Milwaukee County vehicle struck and scratched the passenger's side rear quarter panel of a BMW insured by them.

SEE ACTION UNDER ITEM 5.

7. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,508.71** to the Wisconsin Department of Transportation in full settlement of its claim for damages to a traffic light signal when struck by a Milwaukee County-owned snowplow.

SEE ACTION UNDER ITEM 5.

SCHEDULED ITEMS (CONTINUED):

8. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,278.18** to Afni Insurance Services in full settlement of all claims arising out of an incident wherein a Milwaukee County snowplow struck a legally parked vehicle insured by them.

SEE ACTION UNDER ITEM 5.

9. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,007.61** to the Wisconsin Department of Transportation in full settlement of its claim for damages to a traffic light and fire hydrant when struck by a Milwaukee County-owned snowplow.

SEE ACTION UNDER ITEM 5.

10. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$948.38** to Afni Insurance Services in full settlement of all claims arising out of an incident wherein a Milwaukee County snowplow struck a legally parked vehicle insured by them.

SEE ACTION UNDER ITEM 5.

11. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$842.55** to Tola Olubi in full settlement of her claim for damages to her vehicle by a rubber coated push bar attached to the front of a Milwaukee County squad car while being pushed into a parking lot.

SEE ACTION UNDER ITEM 5.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard the following matters. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

12. 08-93 From the City of St. Francis, submitting a claim for damages allegedly sustained when a Milwaukee County vehicle hit a traffic signal on a snow covered ramp exit on Interstate 794 at Howard Avenue. **(Corporation Counsel recommends payment in the amount of \$7,280.65)**

SEE ACTION UNDER ITEM 5.

SCHEDULED ITEMS (CONTINUED):

13. 08-168 From Millers Classified Insurance Company, submitting a claim under their subrogation rights of their insured, Fred Boness for reimbursement of payment made for alleged damages sustained to his vehicle when involved in an accident with a Milwaukee County snowplow on February 1, 2008. **(Corporation Counsel recommends payment in the amount of \$5,614.76)**

SEE ACTION UNDER ITEM 5.

14. 08-J-4 From Corporation Counsel, status report on the Mercer pension lawsuit.

MOTION BY: (RICE) adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with +regard to item 14. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary. (Vote 6-0)

AYES: Rice, De Bruin, Cesarz, Broderick, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Jursik - 1

The Committee adjourned into closed session at approximately 11:25 a.m. and did not reconvene back into open session.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel
Ronald Malone, Superintendent, House of Correction
Jeff Mayer, Assistant Superintendent, House of Correction

This meeting was recorded. Committee files contain copies of communications, reports and resolutions, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Adjourned: 11:40 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

SCHEDULED ITEMS (CONTINUED):

ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities, 278-3932 (voice) or 278-3937 (TTY), upon receipt of this notice.

DEADLINE

***The next regular meeting of the Judiciary Committee is Thursday, September 11, 2008.
All items for the agenda must be in the Committee Clerk's possession by the end of the
business day on Thursday, August 28, 2008.***